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CERTIFIED COPY OF THE RESOLUTION OF THE BOARD OF EDUCATION
OF THE SOUTH CONWAY COUNTY SCHOOL DISTRICT

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COMMISSIONER'S OFFICE

MAR 17 2014

ADOPTED AT THE BOARD'S REGULAR MEETING
ON MARCH 10, 2014

MAR 14 2014

DIVISION OF PUBLIC
SCHOOL ACCOUNTABILITY

DEPARTMENT OF EDUCATION

WHEREAS, The Board of Education of the South Conway County School District ("SCCSD") met for its regular session on March 10, 2014, at 6:00 p.m. at the School Administration Office, 100 Baramore Street, Morrilton, AR; and,

WHEREAS, on April 16, 2013, Governor Mike Beebe signed into law Act 1227, the Public School Choice Act of 2013 ("Act 1227"), which was duly passed by the Arkansas General Assembly; and,

WHEREAS, Act 1227 establishes a public school choice program that would allow students who are residents of SCCSD to apply for a school choice transfer to a non-resident district; and,

WHEREAS, Ark. Code Ann. § 6-18-1906(b)(1) (to be codified as set forth in Act 1227) provides that "[a] school district annually may declare an exemption under this section if the school district is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation;" and,

WHEREAS, SCCSD is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation; and,

WHEREAS, South Conway County, Arkansas historically operated racially dual school systems that segregated black and non-black students and was desegregated in the early 1970s by closing the schools in Menifee and Plumerville and merging their enrollment with the students in Morrilton; and,

WHEREAS, the federal court or agency orders include the original directive from the United States Supreme Court in *Brown v. Board of Education of Topeka, Kansas* (1954), and its progeny, that maintenance of racially dual public schools is unconstitutional and directing that the racially segregated schools be dismantled; and the 1969 mandate from the federal department of Health, Education, and Welfare to the same effect; and the various orders entered over the years in *United States of America v. State of Arkansas, et al*, U.S. District Court, Eastern District of Arkansas, Case No. LR-72-C-290; and,

WHEREAS, SCCSD desires to declare an exemption from Act 1227 of 2013, the Public School Choice Act of 2013 for the 2014-15 school year on the basis of the aforementioned federal court case and orders and agency mandates; and,

WHEREAS, the Board of Education of the South Conway County School District understands that this exemption is irrevocable for one year from the date the Department of Education is notified of the declaration of exemption.

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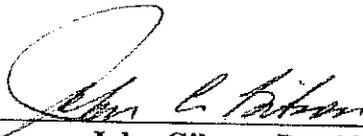
EQUITY ASSISTANCE CEF

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the South Conway County School District, by a vote of _____ to _____, hereby declares that the SCCSD is exempt from the provisions of Act 1227, the Public School Choice Act of 2013 for the school year 2014-15; and,

THEREFORE, BE IT FURTHER RESOLVED that the Superintendent is directed to carefully monitor and study the racial segregation implications of application of the Public School Choice Act of 2013 in other Arkansas districts, as well as the interest expressed therein within this district, and report the same to the Board from time to time during 2014-15; and,

THEREFORE, BE IT FURTHER RESOLVED that the Superintendent is directed to immediately notify the Arkansas State Department of Education of this declaration of exemption for the 2014-15 school year.

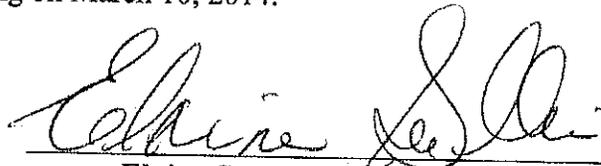
Dated this 10th day of March 2014.



John Gibson, President

CERTIFICATION

I, Elaine Sullivan, Secretary of the Board of Education of the South Conway County School District, hereby certify that the above and foregoing resolution was considered and adopted by said board at the regular meeting on March 10, 2014.



Elaine Sullivan, Secretary

